

No. \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

PETER B. ROJAS

PETITIONER

VS.

SUPERINTENDENT FAYETTE, SCI., et. al.

RESPONDENT

(E.D. Pa. No.5-17-cv-03488)

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SUPREME COURT, U.S.

**APPLICATION TO EXTEND TIME TO FILE PETITIONFOR WRIT OF CERTIORARI**

THEODORE A. MCKEE, J.

AND NOW, this 4 day of <sup>Feb.</sup> January 2019 comes, PETER ROJAS, "pro se" timely Petitioning for "EXTENSION OF TIME" to file certiorari pursuant and in compliance with Supreme Court Rules 21,22,30 & 33.2. The jurisdiction of this court is invoked under 28 U.S.C. § 1254(1).

Petitioner seeks to file the present for the reasons set forth:

1. On November 19, 2018 the United States Court of Appeals for the THIRD CIRCUIT issued an order denying a petition for Rehearing<sup>1</sup>.
2. On October 15, 2018 the court held an order denying Petitioner's request for a Certificate Of Appealability<sup>2</sup>.

1. See Exhibit A (1a - 2a) for copies of the order.

2. See Exhibit A (3a - 4a) copy of order.

3. Petitioner seeks to appealing the THIRD CIRCUIT's decision that it is believed to conflict between decisions of the Supreme Court and subsequent decisions of Federal Courts of Appeals.

4. A Petition for writ of Certiorari to review judgment in any case entered by a United States Court of Appeals is timely when it is filed with the clerk of this court within 90 days after entry of the judgment.

5. On January 11, 2019 this court mailed Petitioner the requested "*Guide for Prospective Indigent Petitioners for Writ of Certiorary*" form and the "*Supreme Court's Rules*" booklet<sup>3</sup>, in order to allow the proper filings with this court.

6. Petitioner avers that from January 15, 2019, date he received the forms, till the final deadline to file for certiorari is not enough time for the preparation of the filings. The allotted prison time is very limited and when coupled with the average of two days of lock-downs per week it shrinks the time even more.

**WHEREFORE**, for the reasons set above, Petitioner respectfully request this Petition be granted.

Respectfully Submitted

DATE: 2/4/19

  
PETER ROJAS KB4917  
SCI FOREST, P.O. Box 945  
Marienville, Pa. 16239

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3. See Exhibit A (5a - 6a) for copy of courts response